



WARP 208.1 US (10110729)

DECLARATION/POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

#13

SYSTEM AND METHOD FOR INTELLIGENTLY DISTRIBUTING CONTENT OVER A COMMUNICATION NETWORK

the specification of which:

() is attached hereto.

(x) was filed on December 21, 2001 and assigned Serial No. 10/026,011

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

			Yes () No ()
(Number)	(Country)	(Day/Month/Year Filed)	Priority Claimed
			Yes () No ()
(Number)	(Country)	(Day/Month/Year Filed)	Priority Claimed

25107131_11

25107131_1

U.S. Priority Applications

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of the application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

60/258,098	December 22, 2000	Pending
(Applic. Serial No.)	(Filing Date)	(Status patented/pending/abandoned)

(Applic. Serial No.)	(Filing Date)	(Status patented/pending/abandoned)
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Power of Attorney

I hereby appoint the following attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: John E. Lynch, Reg. No. 20,940; Peter F. Felfe, Reg. No. 20,297; Norman D. Hanson, Reg. No. 30,946; John A. Bauer, Reg. No. 32,554; James R. Crawford, Reg. No. 39,155 C. Andrew Im, Reg. No. 40,657; and David Rubin, Reg. No. 40,314, my attorneys with full power of substitution and revocation. Address all telephone calls to C. Andrew Im (212) 318-3359. Address all correspondence to:


C. Andrew Im, Esq.
FULBRIGHT & JAWORSKI L.L.P.
 666 Fifth Avenue
 New York, NY 10103

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18

of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(1) **Kailai CHEN**

Full Name/Sole or First Inventor

 Jan. 2, 2002

Signature

Date

Residence:

223 Navajo Court

Morganville, New Jersey 07751

Citizenship:

United States of America